

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

AHAJI AMOS and KIRK AMOS
DELIVERY AND COURIER, LLC

Plaintiffs,

v.

AMAZON LOGISTICS, INC.,
Defendant.

CASE NO. 1:22-cv-00055

DEFENDANT'S MOTION TO
DISMISS AND COMPEL
ARBITRATION PURSUANT TO
RULE 12(B)(3)

Defendant Amazon Logistics, Inc. ("Amazon"), through its undersigned counsel, moves to dismiss the Complaint for improper venue and to compel arbitration pursuant to Rule 12(b)(3) of the Federal Rules of Civil Procedure and the parties' written arbitration agreement. The Declaration of Micah McCabe, which attaches the written arbitration agreement is filed in support of the motion, and a supporting brief is filed contemporaneously herewith. *See Grimes v. Gov't Emples. Ins. Co.*, 2019 U.S. Dist. LEXIS 126618, *5 (M.D.N.C., July 30, 2019) ("Arbitration clauses are a subset of forum-selection clauses, which are enforced in this circuit pursuant to a Rule 12(b)(3) motion to dismiss for improper venue. The court may examine evidence outside the pleadings when considering the motion.") (citations omitted).

Respectfully submitted the 25 day of March, 2022.

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